

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION**

ROBERT AUGUSTINE and)
CATHERINE AUGUSTINE,)
Independently and on behalf of M.A (Minor))
and T.A. (Minor),)

Plaintiffs

v.

**WINCHESTER PUBLIC SCHOOL
DISTRICT,**

Defendant

)
)
)
)
) **Civil Action No. 5:13cv025**
)
)

)
) **By: Michael F. Urbanski**
) **United States District Judge**
)

ORDER

For the reasons set forth in the Memorandum Opinion entered this date, the court concludes that the magistrate judge's report and recommendation is substantially correct and that plaintiffs' objections must be overruled. Accordingly, defendants' motion to dismiss for failure to state a claim is granted and the case is dismissed and stricken from the docket of the court.

It is **SO ORDERED**.

Entered: September 17, 2013

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge